



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,060	06/28/2003	Tong Zhang	BP 2859	6862

34399 7590 02/21/2007
GARLICK HARRISON & MARKISON
P.O. BOX 160727
AUSTIN, TX 78716-0727

EXAMINER

NGUYEN, TANH Q

ART UNIT	PAPER NUMBER
----------	--------------

2182

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/609,060	Applicant(s) ZHANG ET AL.	
	Examiner Tanh Q. Nguyen	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 10, 2007 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 11, 15, 17-18, 22, 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Junod et al. (US 5,854,621).

4. Claims 11 and 18, Junod discloses a computer system [FIG. 1] having a host computer [30, FIG. 1], at least one wireless user input device [10, FIG. 1], and a host side wireless interface [20, FIG. 1; FIG. 6]. The host side wireless interface has a host interface [610, FIG. 6], a processing unit [600, FIG. 6], a non-volatile memory [620, FIG.

6], and a wireless network interface [640-700, FIG. 6] for interfacing with the at least one wireless input device; wherein during a configuration operation, configuration information corresponding to the wireless user input is stored in the non-volatile memory [col. 7, line 31-col. 8, line 28; col. 9, lines 12-15] and also transferred to the host computer via the host interface [col. 9, lines 15-25], and wherein during a subsequent boot mode operation, the configuration information is retrieved from the non-volatile memory and used in servicing the user input device [col. 9, lines 24-26].

5. Claims 15 and 22, Junod discloses the wireless input device including one of wireless mouse, keyboard or game controller [col. 2, lines 6-22].

6. Claims 17 and 24, Junod discloses the information including at least an address and a link key [col. 8, lines 2-18].

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 11-24 are rejected under 35 U.S.C. 103(a) as being obvious over Lazzarotto et al. (US 6,782,245) in view of Junod.

9. Claims 11 and 18, Lazzarotto discloses a host side wireless interface [600b, FIG. 6] for servicing a computer system having a host computer (not shown) and at least one wireless user input device [608 a-n, FIG. 6], the host side wireless interface including a

host side interface [610, FIG. 6], and a processor unit [MPU 606, FIG. 6]. The host side wireless interface having a host interface also includes a non-volatile memory [EEPROM, Fig. 8B] and a wireless network interface [805, Fig. 8A] for interfacing with one of the wireless input devices.

Lazzarotto does not disclose the configuration information corresponding to the wireless user input device being stored in the non-volatile memory and also transferred to the host computer via the host interface wherein during a subsequent boot mode operation, the configuration information being retrieved from the non-volatile memory and used in servicing the wireless user input device.

Junod discloses a system for configuring a communication with a wireless peripheral device wherein during a configuration operation, configuration information corresponding to the wireless user input device is stored in the non-volatile memory of a host side wireless interface [col. 8, lines 24-28; col. 9, lines 12-15] and also transferred to a host computer via a host interface [col. 9, lines 15-25], and wherein during a subsequent boot mode operation, the configuration information is retrieved from the non-volatile memory and used in servicing the wireless user input device [col. 9, lines 24-26].

It would have been obvious to one having ordinary skill in the art combine the operating protocol of Junod in the system of Lazzarotto in order to communicate with the wireless input devices, since Lazzarotto discloses an operating protocol permitting multiple wireless devices to communicate with the host system simultaneously using USB to maximize expandability and simplify the connection to the host device

Art Unit: 2182

[Lazzarotto, col. 2, lines. 28-38] and since Junod also discloses permitting multiple wireless devices to communicate with a host system simultaneously [Junod, col. 9, lines 19-26] .

10. Claims 13-15 and 20-22, Lazzarotto discloses the host interface being based on USB interface standard [col. 13, lines 25-31] and the host side wireless interface operating based on Bluetooth operating standard [col. 12, lines 60-63] and the wireless input device including one of wireless mouse, keyboard or game controller [abstract].

11. Claims 12, 16, 19 and 23, Lazzarotto discloses the wireless input devices [608, FIG. 6] communicating with the host side wireless interface via Bluetooth operating standard, therefore the priority given to the wireless input device being based upon the Remote Name Request (BD_ADDR or AM_ADDR or Class of Device Indication, a generic description of the wireless device) due to the parameters used in the authentication and communication of the host controller interface (HCI) of the Bluetooth technology. According to the Bluetooth specification, each Bluetooth device is given a remote address (BD_ADDR) and each slave device is assigned an active address (AM_ADDR) when a piconet is formed in order to provide priority within the same piconet or if the AM-ADDR to avoid unauthorized tampering and packet modifying.

12. Claims 17 and 24, Junod discloses the configuration information including at least an address and a link key [col. 8, lines 2-18].

Response to Arguments

13. Applicant's arguments filed January 10, 2007 have been fully considered but they

are not persuasive.

14. Rejections under 35 USC 102

Applicant argues that Junod does not suggest that device identification constitutes configuration information used in servicing its wireless device during a subsequent boot mode operation - apparently because applicant does not consider device identification code to be configuration information, and because applicant does not consider the power up modes of Junod to be configuration modes and/or subsequent boot modes.

The argument that the device identification code does not constitute configuration information is not persuasive because one of ordinary skill in the art would consider configuration information to include device identification code. Intrinsic evidence that configuration information includes device identification code can be found, for example, in Frost et al. (US 6,728,662) in FIG. 7. Note that there is no specificity to the configuration information in the claims. As recited, the claims do not preclude the device identification code from being considered as configuration information.

The argument that the power up modes of Junod are not configuration modes is not persuasive because the claims only require the configuration operation to include the storage of configuration information in the non-volatile memory of the host-side wireless interface and the transfer of configuration information to the host computer. Since device identification code can be considered as configuration information, and since Junod discloses the storage of device identification code in the non-volatile memory of the host-side wireless interface and the transfer of device identification code

to the host computer, Junod discloses a configuration operation.

The argument that the power up modes of Junod are not subsequent boot modes is not persuasive because one of ordinary skill in the art would consider a power up of the computer system of Junod to implicitly include a boot mode operation that is necessary to properly configure and operate the computer system of Junod. Since Junod discloses the device identification code stored in the non-volatile memory of the host-side wireless interface being provided to the processing unit at a subsequent power up, and the device identification code being used in the communication between the a wireless device and the host computer, Junod discloses a boot mode operation during a subsequent power up (hence a subsequent boot mode operation) during which the configuration information is retrieved from the non-volatile memory (the device identification code is retrieved from the non-volatile memory and provided to the processing unit) and used in servicing the wireless user input device (the device identification code is used in the communication between the a wireless device and the host computer).

It also appears that applicant argues that the channel selection by the user in Junod is the configuration operation, that the wireless device receiver frequency is configuration information, and that the configuration operation requires information from the user, not from the wireless device.

The argument is not persuasive because applicant appears to not consider the device identification code as configuration information, and to not consider the configuration operation requiring nothing more than the storage of configuration

information in the non-volatile memory of the host-side wireless interface and the transfer of configuration information to the host computer (see discussion above).

The argument is also not persuasive because the claims only require the configuration information from the user input device. As recited, the claims do not preclude default configuration information from the user input device, or user applied configuration information from the user input device - even when the configuration information is the wireless device receiver frequency. Furthermore, the recited claims do not limit the configuration information only to the wireless device receiver frequency.

15. Rejections under 35 USC 102

Applicant essentially argues that Junod does not provide a basis for anticipation of the independent claims - hence the combination of Lazzarotto and Junod does not disclose the limitations of the claims.

The argument is not persuasive because Junod discloses the limitations recited in the independent claims, as rejected under anticipation and as argued with respect to the 102 rejections above.

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Q. Nguyen whose telephone number is 571-272-4154. The examiner can normally be reached on M-F 9:30AM-7:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on 571-272-4147. The fax phone number for

Art Unit: 2182

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TANH Q NGUYEN
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100



February 16, 2007

TQN
February 16, 2007